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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/580,119

05/19/2006

Sung Bae Lim

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04/23/2009

MCKENNA LONG & ALDRIDGE LLP  
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EXAMINER

PATEL, RITA RAMESH

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

04/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,119	<b>Applicant(s)</b> LIM, SUNG BAE	
	<b>Examiner</b> RITA R. PATEL	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 12, 14 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/18/08, 1/15/09</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

Claim 12 is objected to because of the following informalities: in lines 2-3 there appears to be a misspelling of the word "receiving". Appropriate correction is required.

Claim 14 is objected to because of the following informalities: in line 4 there appears to be a misspelling of the word "time". Appropriate correction is required.

Claim 17 is objected to because of the following informalities: in line 1 there appears to be a misspelling of the word "mounted". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant claims that "a center of the heating portion becomes wider towards outside", this language is unclear and appears to have grammatical errors. Does Applicant mean that the heater becomes wider at its center? For purposes of examination, this interpretation will be used until any corresponding remarks or amendments are filed by Applicant.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Milocco et al. herein referred to as "Milocco" (Patent No. 5,620,014).

Milocco teaches a dishwasher having a tub 10 for washing dishes therein. The dishwasher includes a washing tank 3, a water collection sump 5 (sump), pump 8 (washing motor), and a sealed casing 10 which houses electric heating element 11 (heater). Heating element 11 is in a heat-exchange relationship with the water that falls back and collects into the sump 5 (col. 2, lines 38-41). Heating element 11 is conveniently accessible from the inside of the washing tank 3. By a complementary portion 18 (tightening member) which is removably assembled with said bottom portion, for instance by snap fitting or by means of screws. Said complementary portion 18 of the casing 10 may form "a cover" that can be readily removed to gain access to the heating element 11 (col. 3, lines 51-52; col. 4, lines 3-7). As seen in Figure 1, a delivery side 14 is connected to a shaft (motor shaft) for delivery of liquids inside the tub 10.

The center/diameter of heating element 11 has the widest interval/length of the entire circularly shaped element 11, to prevent interference with the motor shaft of the washing motor. Finally, heater element 11 is bent at least 3 times, once to form a "γ" shape, once to form a curved line/circle, and once to form a "└" shape.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Yoon et al. (Pub. No. US 2006/0054201) teaches a sump assembly of a dishwasher having a generally U-shaped heater 200, as illustrated in Figure 2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RITA R. PATEL whose telephone number is (571)272-8701. The examiner can normally be reached on M-F: 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/

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Art Unit: 1792

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Supervisory Patent Examiner, Art  
Unit 1792

/Rita R. Patel/  
Examiner, Art Unit 1792